

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 23658 of 2007(N)

PETITIONER:

SREEDHARAN NAIR, 'GEETHAM',
KUDUMBANNOOR, UPANNIYOOR, PALLICHAL VILLAGE.

BY ADV. SRI.R.GOPAN.

RESPONDENTS:

1. SUB INSPECTOR OF POLICE, NEMOM,
THIRUVANANTHAPURAM.
2. CIRCLE INSPECTOR OF POLICE,
NEMOM, THIRUVANANTHAPURAM.
3. THE ASSISTANT COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY, THIRUVANANTHAPURAM.
4. ARATHY M.K. (MINOR),
REPRESENTED BY HER MOTHER MALLIKA DEVI,
NADUTHALA VEEDU, KUDUMBANNOOR,
PRAVACHAMBALAM, NEMOM P.O.

BY GOVT. PLEADER SRI. SALIM.P.A,
ADV. SRI.P.PARAMESWARAN NAIR,
SMT.SREELATHA PARAMESWARAN NAIR,
SRI.SUDEESH KUMAR RAMAKRISHNA,
SRI.SUNIL KUMAR A.G,
SRI.K.R.KURUP.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C). NO.23658/2007-N:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PLAINT IN O.S. NO. 736/2006.

EXT.P.2: COPY OF THE I.A. NO. 3974/2006.

EXT.P.3: COPY OF THE INTERIM ORDER IN I.A. NO. 3974/2006 DTD. 13/10/2006.

EXT.P.4: COPY OF THE WRITTEN STATEMENT DTD. 25/05/2007.

EXT.P.5: COPY OF THE OBJECTION IN I.A. NO. 3974/2006 DTD. 24/11/2006.

EXT.P.6: COPY OF THE PARTITION DEED NO. 32/2005 NEMOM SUB-REGISTRY DTD. 04/01/2005.

EXT.P.7, P7(A), P7 (B): COPY OF THE TAX RECEIPTS.

EXT.P.8: COPY OF THE COMMISSION REPORT AND SKETCH DTD. 01/03/2007.

EXT.P.9: COPY OF THE ORDER IN I.A. NO. 3974/2006 IN O.S. NO. 736/2006 DTD. 02/04/2007.

EXT.P.10: COPY OF THE COMPLAINT DTD. 17/07/2007.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.

Writ Petition (C) No.23658 of 2007-N

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, alleging that the Police are harassing him at the instance of the 4th respondent. Though the 4th respondent is a minor, her father is a Police Officer. There is some civil dispute between the petitioner and the 4th respondent, concerning a property and a civil suit is also pending before the competent civil court. While so, the 4th respondent through her mother filed a petition before the Police and based on that petition, the petitioner, who is an 80 year old man, is being summoned to the police station and made to sit there for hours. In the above background, this Writ Petition is filed seeking a direction against respondents 1 to 3 not to interfere in the civil dispute between the petitioner and the 4th respondent which is pending before the Munsiff's Court, Neyyattinkara in OS No.736/2006.

2. The learned Government Pleader upon instruction submitted that the 4th respondent though her mother filed a petition before the Police alleging that the petitioner and others trespassed into the property owned by her. The Police

called the parties to the police station. It is also submitted that the Police are not harassing the petitioner or any one else and they have no plans to interfere in the civil dispute between the parties.

3. We record the above submissions and order that the Police shall not interfere in the civil dispute between the petitioner and the 4th respondent.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE

29.10.2007

T.R.RAMACHANDRAN NAIR, JUDGE

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